

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>Fredric N. Eshelman;</b>	<i>Plaintiff,</i>	<b>Civil Case No. 4:20-cv-04034</b>
v.		
<b>True the Vote, Inc., et al.;</b>	<i>Defendants.</i>	<b>Declaration of Gregg Phillips in Opposition to Plaintiff's Application for Temporary Restraining Order and Motion for Preliminary Injunction</b>

**Declaration of Gregg Phillips**

I, Gregg Phillips, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am the president and sole owner of OPSEC Group LLC, which was incorporated in September, 2020 in Shelby County, Alabama. I formed this company for the purpose of using my experience, talent and expertise in voter integrity matters. I am also a co-founder of a healthcare finance and fraud detection company.
2. My background includes working in politics and elections for nearly 40 years, working for candidates, legislative committees, political action committees and other election related activities since the 1980's. I have provided litigation support, data acquisition and research to many and various non-profit organizations, political parties, political action committees and candidates during that time. I have developed and own intellectual property that relates to fraud detection algorithms and scoring solutions to identify specific residency and citizenship categories. I own intellectual property in the form of several large databases with approximately 200 million voter registration records which have been used by True the Vote and other election integrity research organizations throughout the United States. I further own and operate election integrity organizing and support applications.

3. I have worked with Catherine Engelbrecht in multiple capacities for approximately seven years. I served on the Board of Directors of True the Vote between 2015 and 2017. We have further worked together on election related technology and data services projects.

4. OPSEC actually began its 2020 election operations in early 2019, foreseeing a need to provide a level of service needed to support the changes in state election integrity profiles. We recognized in the summer of 2019 that it was likely the need for our services would escalate. That realization led to the establishment of OPSEC and the subsequent recruitment of a team of 14 research, data and analytics experts. This team started in September, 2020, and by October was completely operational. We continued these and expanded operations through the run-off elections in Georgia in early January, 2021. It is our plan to continue to work in matters involving election integrity with True the Vote and other organizations.

5. Pursuant to an agreement with True the Vote, OPSEC provided services including, but not limited to: 1. Research, where skilled analysts researched hundreds of leads relating to irregularities and reports in more than a dozen states, 2. The establishment and maintenance of a whistleblower/witness hotline, and other activities involving the further investigation, evaluation and analysis of reports from same, 3. Software and technology involving proprietary software including GROUND, EI Query and IV3, in addition to commercial products such as DataWalk, SAS and Minitab, 4. Data review and analysis of voter registration rolls, daily voting history, Lexis Nexis data, postal service data and other targeted organizational and geographic data, 5. Litigation support with targeted research, data and technology support for legal team, 6. Communication outputs regarding legal, legislative, administrative and law enforcement data, 7. Advisory services relating to evaluation and recommended targets for True the Vote work, 8. Consulting relating to the preparation and implementation of operational design specifications for targeted initiatives, 9. Application development relating to the building of custom data

**Declaration of Gregg Phillips**

applications for the True the Vote teams, 10. Voter challenging, providing analysis, data, design and operational support for over 364,000 citizen led challenges in Georgia, 11. Analysis using advanced analytic tools, data mining of over 100 terabytes of data ranging from voting patterns to potential crime referrals. All of these services were executed on behalf of and for True the Vote between September, 2020 to the present.

6. During the days immediately after the November 3, 2020 election, I was personally working and traveling from one end of the country to another. My days were spent in meetings, in targeting review, litigation support and planning, whistleblower meetings and vetting, data mining and other activities in Houston, Austin, Phoenix, Yuma, Washington, Tampa, Atlanta, and Birmingham. Every day was one where I was working more than 20 hours a day, as was most of my team.

7. The results of all of these efforts have been extremely successful. We have thus far been able to secure four indictments for voter fraud in Arizona, and have provided data and information for federal investigations of voter fraud in Georgia, Pennsylvania, Nevada and other investigations in Michigan. We have been able to design a methodology that will provide challengers with the data necessary to challenge elections by identifying specific unqualified voters on a county by county basis. We also successfully helped submit the largest pre-election set of challenges in American history in Georgia. This effort is currently the target of two federal court cases in Georgia. We have further identified a data driven model that builds on known law enforcement tools and data to target and prove illegal ballot harvesting. This method is currently being expanded and provided to law enforcement officials nationwide.

8. The work that OPSEC and I did required the purchase of very expensive data, which often costs hundreds of thousands of dollars to acquire. Further, the work required the payment of our personnel, the purchase and implementation of our technology, travel and security costs. Several

of our whistleblowers were under extreme pressure, fearful for their safety, and required security and support. We too faced physical threats and had security related expenses. All of the money that we charged True the Vote for our services has been spent on these activities.

9. I was hired directly by Catherine Engelbrecht and True the Vote. I spoke with the Plaintiff Fred Eshelman only one time that I recall and that was on November 16 in a conference call involving several people including Ms. Engelbrecht and Mr. James Bopp, the General Counsel for True the Vote. I made no promises to Mr. Eshelman. I had no contract with Mr. Eshelman. I had actually no relationship with Mr. Eshelman. I understand that Mr. Eshelman provided a significant donation to True the Vote to help in our efforts. But, those efforts were not done on behalf of or for Mr. Eshelman. My efforts and those of OPSEC were done exclusively pursuant to our agreement with True the Vote. I literally have no relationship with Mr. Eshelman, legal or otherwise, and do not understand the nature of how he could sue me and my company without such a relationship.

“I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.” Executed on January 21, 2021.

  
\_\_\_\_\_  
Gregg Phillips